COURTESY RECORDING NO TITLE LIABILITY

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OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
ADRIAN FONTES
20180097427 02/08/2018 09:37
ELECTRONIC RECORDING

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Bart J. Page Snell & Wilmer L.L.P. One Arizona Center Phoenix, AZ 85004

DECLARATION OF ANNEXATION TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR MOUNTAIN TRAILS COMMUNITY ASSOCIATION

This Declaration of Annexation to Declaration of Covenants, Conditions, and Restrictions for Mountain Trails Community Association (the "Declaration of Annexation"), is made as of the 6th day of February, 2018, by BEAZER HOMES HOLDINGS, LLC, a Delaware limited liability company, successor by conversion to BEAZER HOMES HOLDINGS CORP., a Delaware corporation (the "Declarant").

RECITALS:

- A. A Declaration of Covenants, Conditions, and Restrictions for Mountain Trails Community Association, dated as of May 2, 2016, was executed by Declarant and recorded on May 3, 2016 as Instrument No. 20160300449 in the Official Records of the County Recorder of Maricopa County, Arizona (the "Declaration").
- B. Capitalized terms used in this Declaration of Annexation without definition shall have the meanings given to such terms in the Declaration.
- C. Section 13.1 of the Declaration granted the Declarant the right to annex and subject to the Declaration all or any portion of the Annexable Property by Recording a Declaration of Annexation setting forth the legal description of the Annexable Property being annexed and describing any portion of the Annexable Property that will be Common Area.
- D. The Declarant desires to annex and submit to the Declaration the Annexable Property described on Exhibit B to the Declaration.

NOW, THEREFORE, the Declaration is amended as follows:

- 1. Pursuant and subject to the provisions of Section 13.1 of the Declaration, the following described property is hereby annexed and subjected to the Declaration:
 - Lots 1 through 73, inclusive, and Tracts A through J, inclusive, of Mountain Trails West, according to the plat thereof recorded in Book 1290 of Maps, Page 42, of the Official Records of Maricopa County, Arizona, in Instrument No. 2016-0679826 of the Official Records of Maricopa County, Arizona.
 - 2. The following described portion of the Annexable Property shall be Common Area:
 - Tracts A through J, inclusive, of Mountain Trails West, according to the plat thereof recorded in Book 1290 of Maps, Page 42, of the Official Records of Maricopa County,

Arizona, in Instrument No. 2016-0679826 of the Official Records of Maricopa County, Arizona.

- 3. All Lots annexed pursuant to this Declaration of Annexation shall be subject to assessment upon the conveyance of the first such annexed Lot to a Purchaser.
- 4. Except as expressly amended by this Declaration of Annexation, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, this Declaration of Annexation is executed by the undersigned, the Declarant under the Declaration, as of the date first set forth above.

DECLARANT:

BEAZER HOMES HOLDINGS, LLC, a Delaware limited liability company, successor by conversion to Beazer Homes Holdings Corp., a Delaware Corporation

		Name:	Timothy C. Little		
STATE OF ARIZONA)				
County of Maricopa) ss.)				
The foregoing in	ıstrument was a	cknowledged befo	ore me this	day of February,	2018, by

known

liability company, successor by conversion to Beazer Homes Holdings Corporation, a Delaware

Photology of Beazer Homes Holdings, LLC a Delaware limited

My Commission Expires:

corporation.

7/10/2020

JUNE M STRUTTMANN
Notary Public - Arizona
Maricopa County

JUNE M STRUTTMANN
Notary Public - Arizona
Maricopa County
My Comm. Expires Jul 10, 2020

to

be

CONSENT OF ASSOCIATION

The Association, as the current owner of Common Area being annexed pursuant to this Declaration of Annexation, hereby consents to, approves, joins in and ratifies this Declaration of Annexation.

Dated this ______ day of February, 2018.

MOUNTAIN TRAILS COMMUNITY ASSOCIATION, an Arizona nonprofit corporation

By: Chrol Grumles

Its: President

STATE OF Man) ss.

County of Maricopa)

On 2/7 , 2018, before me, Tune M. Strutmans , a Notary Public in and for said State, personally appeared Opport Grumles , personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Public

My commission expires: 7/10/2020

